



PATENT
ATTORNEY DOCKET NO.: 044595-5002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Arthur W. WETZEL *et al.*)
)
Application No.: 09/758,037)
)
Filed: January 11, 2001)
)
For: **A System and Method for Finding Regions**)
of Interest for Microscopic Digital)
Montage Imaging)

Assistant Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

1. This replies to the Notice to File Missing parts of NonProvisional Application mailed February 26, 2001

A copy of the Notice to File Missing Parts of NonProvisional Application Filed Under 37 CFR 1.53(b) is enclosed.

2. Declaration Or Oath

☒ No declaration or oath was filed. Enclosed is a Declaration and a Power of Attorney by Assignee.

☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

05/22/2001 AZERGAW1 00000054 09758037

04 FC:215

55.00 OP

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document

4. Small Entity Statement

- ☒ Verified that this is a filing by a small entity

5. Fee Calculation

			Basic Fee: Patent Application-\$710.00 Design Application-\$320.00	\$ 710.00
	Number Filed	Number Extra	at a Rate of	
Total Claims	27 - 20 =	7	\$18.00 each =	+ \$126.00
Independent Claims	3 - 3 =	0	\$80.00 each =	+
Multiple dependent claim(s), if any			\$270.00	+
Missing Parts Surcharge Fee			\$130.00	+ 130.00
SUB-TOTAL =				\$ 966.00
Reduction by ½ for filing by a small entity				- \$483.00
SUB-TOTAL =				\$ 483.00
Fee For Application Filed With A Non-English Specification (37 CFR 1.17(k) and 1.52(d))			\$130.00	+
Fee For Processing and retention of application (37 CFR 1.21(l) and 1.53(d))			\$130.00	+
TOTAL FILING FEE =				\$ 483.00

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

[X] Applicants petition for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>[fee for Small Entity]</u>
[X] one month	\$ 110.00	\$ 55.00
[] two months	\$ 390.00	\$195.00
[] three months	\$ 890.00	\$445.00
[] four months	\$1,390.00	\$695.00

Extension of time fee due with this request: **\$ 55.00**

If an additional extension of time is required, please consider this a Petition therefor.

[] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

[X] Check in the amount of **\$ 538.00** representing the filing fee of **\$355.00**; additional claims of **\$63.00**; Missing Parts surcharge of **\$65.00**; and One Month Extension of Time filing fee of **\$ 55.00**.

[X] Check in the amount of **\$ 40.00** representing the assignment recordation fee.

[X] **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

5/22/2001 AZEROAW1 00000054 09758037

1A 50-215

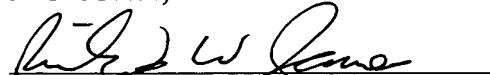
55.00 EP

8. Additional papers enclosed.

- ☒ Assignment
- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Richard W. James

Reg. No. 43,690

Date: May 17, 2001

MORGAN, LEWIS & BOCKIUS LLP
1800 M Street, N.W.
Washington, D.C. 20036
(202) 467-7000



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Docket No. 044595-5002

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Arthur W. WETZEL et al.
Application No.: 09/758,037
Filed: January 11, 2001
For: "A SYSTEM AND METHOD FOR FINDING REGIONS OF
INTEREST FOR MICROSCOPIC DIGITAL MONTAGE IMAGING"

Assistant Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EF148299391US
Date of Deposit May 17, 2001

I hereby state the following papers are attached hereto:

Response to Notice to File Missing Parts (4 pages), copy of Notice to File Missing Parts (1 page), Declaration for Patent Application (4 pages), Power of Attorney by Assignee (3 pages) with copy of assignment (2 pages), Recordation Form Cover Sheet (1 page), Assignment (2 pages), check in the amount of \$538.00 for the filing fee, and check in the amount of \$40.00 for the recordation fee

which are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Dawna E. Mozes

Typed or printed name of person mailing paper

Dawna E. Mozes

Signature of person mailing paper



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/758,037	01/11/2001	Art Wetzel	044595-5002

CONFIRMATION NO. 8276

009629
MORGAN, LEWIS & BOCKIUS
1800 M STREET NW
WASHINGTON, DC 200365869

FORMALITIES LETTER



OC000000005802179

Date Mailed: 02/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$126.
 ■ \$126 for 7 total claims over 20.
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 966.

*A copy of this notice **MUST** be returned with the reply.*

Tadelech Peters
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/22/2001 AZERGAW1 00000054 09758037
01 FC:201 355.00 OP
02 FC:203 63.00 OP
03 FC:205 65.00 OP